

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CLAREMONT APARTMENTS, LP,	:	CIVIL ACTION
	:	
Plaintiff,	:	NO. 09-6138
	:	
v.	:	
	:	
PRINCIPAL COMMERCIAL FUNDING II, LLC, and	:	
PRINCIPAL COMMERCIAL FUNDING, LLC,	:	
	:	
Defendants.	:	

ORDER

AND NOW, this 8th day of June, 2010, upon consideration of Defendants' Motion to Dismiss for Failure to State a Claim (Docket No. 7), Plaintiff's Response in Opposition (Docket No. 9), Defendants' Reply Brief (Docket No. 10), and Plaintiff's Sur-Reply Brief (Docket No. 11), it is hereby **ORDERED** that Defendants' Motion is **DENIED IN PART** and **GRANTED IN PART** as follows:

1. Defendants' Motion to Dismiss is DENIED as to Principal Commercial Funding II, LLC.
2. Defendants' Motion to Dismiss is GRANTED as to Principal Commercial Funding, LLC.

It is so **ORDERED**.

BY THE COURT:

s/ Ronald L. Buckwalter
RONALD L. BUCKWALTER, S.J.